

Guidelines for Using WPS EPA Form 5700-33H

WPS EPA Form 5700-33H should be used by states, tribes or territories participating in the FIFRA cooperative agreement program for reporting total yearly WPS inspections and enforcement accomplishments. The Agency believes that such a total summery will provide a much more accurate picture of both an individual state or tribal inspection and enforcement program, but it will also give a much more realistic national view as well.

WPS Agricultural Inspections Enforcement Reporting

Regions must complete and submit WPS EPA Form 5700-33H to Al Havinga, Chief Agriculture Branch by December 31. Other grant accomplishments will continue to be collected on the standard 5700-33H form and reported through the FIFRA and TSCA Tracking System (FTTS). Pesticide Lead Agencies must submit completed WPS EPA Forms 5700-33H biannually to regions.

WPS EPA Form 5700-33H is divided in two portions. Left side of the form is divided in four columns to collect total number of WPS inspections conducted in a reporting period:

WPS Tier I Inspection column – is subdivided in two columns, Use and For Cause to collect total number of WPS agricultural use and For Cause inspections conducted during the reporting period including the number of inspections conducted at facilities claiming Family Exemption.

WPS Tier II Inspection column – is subdivided in two columns Use and For Cause to collect total number of WPS agricultural use inspections and for cause inspections including the number of inspections conducted at facilities claiming Family Exemption.

Total Inspections column is to collect total number of WPS Tier I and Tier II inspections.

Inspections at Facilities Claiming Family Exemption Column is a subset of the WPS Tier I and Tier II to collect data on inspections conducted at facilities claiming family farm exception to provide EPA with better data on the size of this component in the regulated community.

WPS Enforcement Actions –Some Enforcement Action Categories are deleted from the EPA Form 5700-33H because they are not applicable to WPS enforcement. Report total number of enforcement actions taken under the inspection heading (Tier I - Use or For cause, Tier II - Use or For cause).

Right side of the WPS EPA Form 5700-33H is for collecting violations documented during WPS inspections:

Violations during WPS Inspections – Ten WPS Violation Categories are listed in first column. Second column for reporting number of violations. Number of WPS violations is going to be greater than the number of enforcement actions on the left hand side of the form. The goal of this section is to highlight areas of the Rule where compliance difficulties remain, where compliance assistance activities and enforcement targeting may be focused, and used to monitor national trends. Each state in-turn should use this data to feedback into future compliance efforts and future enforcement targeting.

EPA is recommending that all Pesticide Enforcement Agencies provide this information to fulfill our goal.